



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

SEP 04 2012

REPLY TO THE ATTENTION OF:

E-19J

Philip Forst
Federal Highway Administration
380 Jackson St., Ste. 500
St. Paul, Minnesota 55101

**RE: Final Supplemental Final Environmental Impact Statement for Trunk Highway 60
from St. James to Windom, Cottonwood and Watonwan County, MN; CEQ # 20120270**

Dear Mr. Forst:

The U.S. Environmental Protection Agency has received and reviewed a Final Supplemental Final Environmental Impact Statement (Final Supplemental EIS) dated July 2012, prepared by the Minnesota Department of Transportation (MnDOT) and Federal Highway Administration (FHWA) for proposed improvements to Trunk Highway 60 (Highway 60) in Cottonwood and Watonwan Counties, Minnesota. This letter provides our comments on the Final Supplemental EIS, pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

Highway 60 is a principal arterial northeast-southwest highway in southwestern Minnesota. A Final EIS (FEIS; 1983) and Record of Decision (ROD; 1984) were previously prepared for a 52-mile segment of Highway 60 from St. James to Worthington. The preferred alternative identified in the FEIS/ROD consisted of constructing Highway 60 on new alignment to modern highway design standards with subsequent stages to provide added capacity with construction to a four-lane divided highway. To date, nearly 35 miles of the Highway 60 corridor between St. James and Worthington have been constructed as a four-lane divided highway; however, three segments (totaling approximately 17 miles) of the original EIS study limits remain as two-lane highway sections between St. James and Windom.

The Final Supplemental EIS proposes actions by FHWA and MnDOT to upgrade the three gap segments from two-lane roadway to four-lane divided highway. The gaps are known as the West Gap, the Middle Gap, and the East Gap.

West Gap

The western terminus of the West Gap begins near the northeast edge of the City of Windom near the intersection of John Caldwell Drive and extends east to its western terminus just west of the City of Mountain Lake, approximately 750 feet west of Cottonwood County Road 47/560th Avenue. The west gap length is approximately 7.5 miles. The Draft Supplemental EIS study area proposed the construction of two additional travel lanes immediately north of the existing Highway 60 alignment to serve westbound traffic; the existing lanes would serve eastbound traffic. This alignment was selected as the Preferred Alternative in the Final Supplemental EIS. Two areas within the West Gap (the “Bingham Lake” area and the “Clear Lake” area) were studied with alternatives in order to minimize impacts to existing developments and water resources.

The Preferred Alternative through the community of Bingham Lake in the West Gap includes a modified “Widen North” design option from the Draft Supplemental EIS. This design option was modified to shift the road alignment slightly south to reduce impacts to Wetland #25 but still avoid commercial business relocations on the south side of the highway corridor.

The Preferred Alternative near Clear Lake in the West Gap includes the “Full 90-foot Centerline Spacing” in lieu of a “Compressed Median.” While this design option will result in more impact (fill) to Clear Lake, this design option was selected to minimize the potential for snow drifting and icy roadway conditions that can result in safety concerns, including vehicles leaving the roadway and injury crashes. The “Full” design option does not require installation of guardrail along the road shoulders. Guardrail can exacerbate snow drifting that causes snow deposition on the roadway, causing safety concerns for both motorists and MnDOT maintenance crews.

Middle Gap

The western terminus of the Middle Gap begins just east of the City of Mountain Lake and extends east to just east of the City of Butterfield, approximately 900’ west of Watonwan County Road 102. The middle gap length is approximately 4.2 miles. The Draft Supplemental EIS study area proposed the construction of two additional travel lanes immediately south of the existing Highway 60 alignment to serve eastbound traffic; the existing lanes would serve westbound traffic. This alignment was selected as the Preferred Alternative in the Final Supplemental EIS.

East Gap

The western terminus of the East Gap begins south of the City of Butterfield and extends east to just west of the City of St. James. The east gap length is approximately 5.3 miles. The Draft Supplemental EIS study area proposed the construction of two additional travel lanes immediately south of the existing Highway 60 alignment to serve eastbound traffic; the existing lanes would serve westbound traffic. This alignment was selected as the Preferred Alternative in the Final Supplemental EIS.

On April 12, 2012, EPA attended an inter-agency wetland review field meeting to view water resource impacts associated with the project as well as discuss concerns raised in our December 22, 2011, comment letter on the Draft Supplemental EIS. As a result of review of EPA's comments and field investigations, two additional wetland areas (Wetland #32 and Wetland #33) were identified and have since been delineated. No impacts to these wetlands are anticipated. EPA commends the attention taken to investigate and resolve our concerns regarding wetlands and wetland impacts as noted in our December 22, 2011, comment letter.

The preferred alternative for the West Gap's Clear Lake area includes the "Full 90-foot Centerline Spacing" in lieu of a "Compressed Median," which will result in additional impacts to Clear Lake that could have been minimized if the compressed median design had been selected. EPA understands from information provided during the April 2012 field meeting that the full centerline spacing was selected for safety and maintenance reasons, and that MnDOT will work closely with the Minnesota Department of Natural Resources (MnDNR) to provide adequate and thoughtful mitigation for unavoidable impacts. MnDNR has requested that mitigation occur adjacent to Clear Lake in order to improve lake water quality and wildlife habitat. Mitigation measures may include upgrades to the lake's outlet structure (for manipulation of lake water levels), public access improvements, and wetland buffers. In light of the balance of public safety versus the additional water resource impacts to Clear Lake, EPA supports the preferred alternative as selected.

EPA understands that specific design details and construction plans for the project are still forthcoming. To further minimize impacts to wetlands and sensitive aquatic habitats, EPA recommends the following measures be implemented during construction and committed to in the forthcoming Record of Decision (ROD):

- Undertake construction in wetlands during winter/frozen conditions, if/when feasible;
- Minimize widths of temporary access roads/paths;
- Use removable materials for construction of temporary access roads/paths (e.g. timber/swamp mats) in lieu of "fill" materials such as stone, riprap, or wood chips;
- Use timber/swamp mats to distribute the weight of construction equipment in order to minimize soil rutting and compaction;
- Use vehicles and construction equipment with wide tires or rubberized tracks, or low ground-pressure equipment, to further minimize wetland impacts during construction;
- Use long-reach excavators, where appropriate, to avoid driving, traversing, or staging in wetland areas; and
- Install a non-sediment-producing dike, cofferdam, or other barrier to separate work areas or pits from, and to keep sediment from entering, lakes, wetlands, or actively flowing streams (if work areas or pits are located in or adjacent to a work area or pit). Maintain these barriers during construction to minimize the siltation or filling of the stream, lake, or wetland. Remove all barriers post-construction.
- Design both new and replacement culvert crossings to allow fish and other aquatic organism passage and to ensure continuity of the aquatic habitat (by not restricting or altering water depth, flow, or velocity). Span crossings (bridges, 3-sided box culverts, open-bottom culverts or arches) are preferred from both an environmental and fisheries standpoint as they preserve the natural stream channel and maintain favorable habitat, natural processes, and aquatic organism passage under and/or through the structure. If a non-open bottom crossing

is pursued, (such as a four-sided box culvert or a pipe), they should be embedded a minimum of two feet (and at least 25% for round pipe culverts) into the bottom of the channel.

- Construct relocated stream channels in the dry. Specifically, the new length of any relocated channel should be excavated, graded, stabilized with erosion control blankets, seeded, and have vegetation established before the ends of the new channel are opened to flow.

In addition to minimizing prairie, wetland, lake, and stream impacts through thoughtful design of final construction plans, EPA recommends that MnDOT/FHWA commit to the following measures in the ROD for implementation during construction:

- Comply with all applicable federal, state, and local laws and regulations that control the prevention of pollution of the environment, including those related to the introduction or spread of invasive species or pathogens in waterways;
- Conduct and schedule work operations to avoid or minimize siltation of streams, lakes, and wetlands;
- Avoid crossing actively flowing streams or operating machinery on the bed of actively flowing streams unless specifically approved to do so by all appropriate regulatory agencies; and
- Remove existing structures over actively flowing streams in large pieces to minimize the number of smaller pieces that may drop into the water or wetlands. Commit to removing all steel and all concrete pieces or other debris larger than 5 inches in any dimension that fall into any stream, lake, or wetlands.

EPA is aware that MnDNR shares EPA's concerns over proposed impacts to Mesic Prairie remnants near the Bingham Lake area of the West Gap; this native plant community is considered imperiled by MnDNR within the state of Minnesota. MnDNR has recommended complete avoidance of impacts to prairie remnants; EPA supports this recommendation. If full avoidance is deemed infeasible, MnDNR has requested that a qualified botanist conduct a botanical survey of potential impact areas within the Mesic Prairie remnants prior to construction. The botanical survey would assess the environmental effects of the proposed project, reduce the likelihood of an inadvertent taking of state-protected plants such as Sullivant's milkweed (*Asclepias sullivantii*), and, if needed, to inform the takings permit process. EPA requests that, in the forthcoming ROD, MnDOT/FHWA commit to a prairie botanical survey as specified by MnDNR if full avoidance of prairie impacts is ultimately deemed infeasible.

In the Final Supplemental EIS (page 84), MnDOT committed to consider further avoidance and minimization measures to limit impacts [to remnant prairie]. MnDOT also committed to including language into future project contracts that will not allow work or equipment staging to occur within the identified prairie remnant areas between the dates of April 1 to August 1. EPA requests that this commitment be specified in the forthcoming ROD.

EPA appreciates your diligence in responding to comments raised during the Draft Supplemental EIS comment period and for providing thorough responses to written comments in the Final Supplemental EIS. With the exception of the recommendations noted above, EPA does not have substantive comments on the preferred alternative as selected or on the Final Supplemental EIS.

Thank you for the opportunity to review and comment on this Final Supplemental EIS. Please send us a signed copy of the Record of Decision once it is available. If you have any questions about this letter, please contact Ms. Liz Pelloso, PWS, of my staff at 312-886-7425, or via email at pelloso.elizabeth@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth A. Westlake", written in a cursive style.

Kenneth A. Westlake, Chief
NEPA Implementation Section
Office of Enforcement and Compliance Assurance

cc: Dave Studenski, USACE-St. Paul District
Nick Chevance, NPS-Midwest Region
Richard Davis, USFWS-Twin Cities Field Office
Kevin Molloy, MPCA
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